

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 382

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

EDWARD C. SANDOVAL

AN ACT

RELATING TO INDUSTRIAL REVENUE BONDS; REQUIRING COMPANIES THAT  
BENEFIT FROM THE ISSUANCE OF BONDS TO PAY INTO THE DEVELOPMENT  
TRAINING FUND FOR RECIPIENTS OF TEMPORARY ASSISTANCE FOR NEEDY  
FAMILIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Industrial Revenue Bond  
Act is enacted to read:

" NEW MATERIAL PROJECT BONDS--TRAINING PAYMENT. --

A. No municipality shall issue industrial revenue  
bonds for a project unless the manufacturer, commercial  
enterprise or other business for which the bonds are to be  
issued agrees to pay one percent of the value of the bonds to  
the municipality for credit to the state development training  
fund. Copies of the agreement shall be provided to the

Underscored material = new  
[bracketed material] = delete

1 economic development department, the department of finance and  
2 administration and the legislative finance committee.

3 B. A business may pay the amount owed in  
4 installments, not to exceed five years. The agreement shall  
5 specify the times and amounts due. The municipality shall  
6 collect the amount owed and otherwise enforce the provisions  
7 of the agreement. The municipality shall deposit the payment  
8 with the state treasurer for credit to the development  
9 training fund within thirty days of receipt of the payment. "

10 Section 2. A new section of the County Industrial  
11 Revenue Bond Act is enacted to read:

12 "[NEW MATERIAL] PROJECT RECIPIENT--TRAINING PAYMENT. --

13 A. No county shall issue industrial revenue bonds  
14 for a project unless the manufacturer, commercial enterprise  
15 or other business for which the bonds are to be issued agrees  
16 to pay one percent of the value of the bonds to the county for  
17 credit to the state development training fund. Copies of the  
18 agreement shall be provided to the economic development  
19 department, the department of finance and administration and  
20 the legislative finance committee.

21 B. A business may pay the amount owed in  
22 installments, not to exceed five years. The agreement shall  
23 specify the times and amounts due. The county shall collect  
24 the money owed and otherwise enforce the provisions of the  
25 agreement. The county shall deposit the payment with the

Underscored material = new  
[bracketed material] = delete

1 state treasurer for credit to the development training fund  
2 within thirty days of receipt of the payment. "

3 Section 3. Section 21-19-7 NMSA 1978 (being Laws 1983,  
4 Chapter 299, Section 1, as amended) is amended to read:

5 "21-19-7. DEVELOPMENT TRAINING. --

6 A. Except as provided in Subsection B of this  
7 section, the economic development department shall establish a  
8 development training program that provides quick-response  
9 classroom and in-plant training to furnish qualified manpower  
10 resources for new or expanding industries and nonretail  
11 service sector businesses in New Mexico that have business or  
12 production procedures that require skills unique to those  
13 industries. Training shall be custom designed for the  
14 particular company and shall be based on the special  
15 requirements of each company. The program shall be operated  
16 on a statewide basis and shall be designed to assist any area  
17 in becoming more competitive economically.

18 B. Money in the fund that is attributable to  
19 payments from businesses that receive industrial revenue bonds  
20 or county industrial revenue bonds shall be used to train  
21 recipients of temporary assistance for needy families. A  
22 person trained pursuant to this section may be trained for a  
23 specific job with a specific company or may be provided  
24 general skills training, including coursework for an associate  
25 degree from a community college or technical-vocational

. 119886. 1

Underscored material = new  
[bracketed material] = delete

1 school. Training programs may be designed for businesses that  
2 contribute to the development training fund through the use of  
3 municipal or county industrial revenue bonds.

4 [B-] C. There is created the "industrial training  
5 board" composed of:

6 (1) the director of the economic development  
7 division of the economic development department;

8 (2) the director of the vocational education  
9 division of the state department of public education;

10 (3) the director of the job training division  
11 of the labor department;

12 (4) the executive director of the commission  
13 on higher education;

14 (5) one member from organized labor appointed  
15 by the governor; and

16 (6) one public member from the business  
17 community appointed by the governor.

18 [C-] D. The industrial training board shall  
19 establish policies and promulgate rules [and regulations] for  
20 the administration of appropriated funds and shall provide  
21 review and oversight to assure that funds expended from the  
22 development training fund will generate business activity and  
23 give measurable growth to the economic base of New Mexico  
24 within the legal limits preserving the ecological state of New  
25 Mexico and its people.

. 119886. 1

Underscored material = new  
[bracketed material] = delete

1                   ~~[D.]~~ E. Subject to the approval of the industrial  
2 training board, the economic development division of the  
3 economic development department shall:

4                   (1) administer all funds allocated or  
5 appropriated for industrial development training purposes;

6                   (2) provide designated training services;

7                   (3) regulate, control and abandon any  
8 training program established under the provisions of this  
9 section;

10                  (4) assist companies requesting training in  
11 the development of a training proposal to meet the companies'  
12 manpower needs;

13                  (5) contract for the implementation of all  
14 training programs;

15                  (6) provide for training by educational  
16 institutions or by the company through in-plant training, at  
17 the company's request; and

18                  (7) evaluate training efforts on a basis of  
19 performance standards set forth by the industrial training  
20 board.

21                   ~~[E.]~~ F. The vocational education division of the  
22 state department of public education shall provide technical  
23 assistance to the economic development department concerning  
24 the development of agreements, the determination of the most  
25 appropriate instructional training to provide and the review

Underscored material = new  
[bracketed material] = delete

1 of training program implementation.

2 [F-] G. The state shall contract with a company or  
3 an educational institution to provide training or  
4 instructional services in accordance with the approved  
5 training proposal and within the following limitations:

6 (1) no payment shall be made for training in  
7 excess of one thousand forty hours of training per trainee for  
8 the total duration of training;

9 (2) training applicants shall have resided  
10 within the state for a minimum of one year immediately prior  
11 to the commencement of the training program and be of legal  
12 status for employment;

13 (3) payment for institutional classroom  
14 training shall be made under any accepted training contract  
15 for a qualified training program;

16 (4) no payment shall be made under any  
17 accepted training contract for rental of facilities unless  
18 facilities are not available on site or at the educational  
19 institution;

20 (5) all applicants shall be eligible under  
21 the federal Fair Labor Standards Act and shall not have  
22 terminated a public school program within the past three  
23 months except by graduation;

24 (6) trainees shall be guaranteed full-time  
25 employment with the contracted company upon successful

Underscored material = new  
[bracketed material] = delete

1 completion of the training;

2 (7) persons employed to provide the  
3 instructional services shall be exempt from the minimum  
4 requirements established in the state plan for other state  
5 vocational programs; and

6 (8) no payment shall be made for training  
7 programs or production of Indian jewelry or imitation Indian  
8 jewelry unless a majority of those involved in the training  
9 program or production are of Indian descent. "

1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998  
3  
4  
5

6 February 4, 1998  
7  
8

9 Mr. Speaker:  
10

11 Your RULES AND ORDER OF BUSINESS COMMITTEE, to  
12 whom has been referred  
13

14  
15 HOUSE BILL 382  
16

17 has had it under consideration and finds same to be GERMANE  
18 in accordance with constitutional provisions.  
19  
20

21 Respectfully submitted,  
22  
23  
24  
25

---

Underscored material = new  
[bracketed material] = delete

Underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

R. David Pederson, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

Excused: Hobbs, Lujan, Nicely, Russell, Ryan, Sanchez, Williams,

SM

Absent: None

G:\BILLTEXT\BILLW\_98\H0382